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NOTICE

TO: All Public Utilities, Affected Agencies and Interested Stakeholders

FROM: Brooke K. Kane, Administrative Director 

DATE: October 1, 2009

RE: Service of Commission-Issued Documents

Given the unprecedented budget shortfall facing the State of Hawaii and the recent availability of the Public Utilities Commission's ("Commission") electronic Document Management System ("DMS"), the Commission will be modifying its internal policies governing service of decisions, orders, notices, and other documents issued by the Commission.

Effective immediately, the Commission will only serve one copy per party of Commission-issued documents.¹ The Commission's practice has been to serve as many individuals with copies as requested by a party. By limiting service to one copy per party, the Commission will reduce its costs for postage and paper, as necessitated by budget restrictions placed on the Commission. This also has the collateral benefit of being a more environmentally friendly practice, and is consistent with the practice of many parties to Commission dockets who have been agreeing to email service of documents produced by the parties. In addition, multiple paper copies may be increasingly unnecessary given the Commission's new DMS system, as parties to Commission dockets may view docketed filings on the Commission's website through DMS and may even subscribe to certain dockets and receive email notifications of recent filings in those dockets. This change in practice, however, is still consistent with the requirements of Hawaii Administrative Rules § 6-61-21.

The practice of serving one copy per party will apply effective immediately to all existing and newly filed Commission dockets. Each party to an existing docket shall designate in writing one person who will receive service from the Commission. The designated person may be an employee or outside attorney or consultant. It is that

¹This includes the Division of Consumer Advocacy. In the Commission's view, HAR § 6-61-21(b), which requires that the Division of Consumer Advocacy receive two copies of documents "filed with the commission," would not apply to documents filed by the Commission.

representative's responsibility to ensure that the document is disseminated as appropriate, such that, for example, any motion for reconsideration or clarification is timely filed with the Commission. Absent written notification, the Commission Counsel assigned to each docket will make a determination as to service until a written designation is made by the party. For newly filed applications, only one person should be designated by the applicant for service of Commission documents. Where more than one person is designated for a newly filed docket, the Commission Counsel assigned to each docket will make a determination as to service until a written designation is made by the party.